

JOHN W. HUBER, United States Attorney (#7226)
PAUL KOHLER, Assistant United States Attorney (#8224)
Attorneys for the United States of America
20 North Main Street, Suite 208
St. George, Utah 84770
Telephone: (435) 634-4263
paul.kohler@usdoj.gov

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH
FEB 05 2018
D. MARK JONES, CLERK
BY _____ DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BURTON RANDY CHEEK, JR.,

Defendant.

FELONY INFORMATION

2:18CR67

VIOLATIONS:

18 U.S.C. § 922(g),

Felon in Possession of Firearm and
Ammunition.

21 U.S.C. § 841(a),

Possession of Methamphetamine with Intent
to Distribute.

18 U.S.C. § 924(c),

Use and Carry Firearm During and in Relation
to Drug Trafficking Crime.

21 U.S.C. § 844,

Possession of Methamphetamine

The United States charges:

COUNT I

(Felon in Possession of Firearm and Ammunition)

On or about August 17, 2017, in the Central Division of the District of Utah,

BURTON RANDY CHEEK, JR.,

defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm and ammunition--that is a Hi-Point 9mm handgun and associated ammunition, all in violation of 18 U.S.C. § 922(g)(1) and punishable under 18 U.S.C. §§ 924(a)(2) and 924(e).

COUNT II

(Possession of Methamphetamine with Intent to Distribute)

On or about August 17, 2017, in the Central Division of the District of Utah,

BURTON RANDY CHEEK, JR.,

defendant herein, did knowingly and intentionally possess with intent to distribute 50 grams or more of methamphetamine, a Schedule II controlled substance within the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 841(a)(1), and punishable under 21 U.S.C. § 841(b)(1)(A).

COUNT III

(Use and Carry Firearm During and In Relation to Drug Trafficking Crime)

On or about August 17, 2017, in the Central Division of the District of Utah,

BURTON RANDY CHEEK, JR.,

defendant herein, did knowingly use and carry a firearm during and in relation to a drug trafficking crime, as alleged in Count II of this Indictment, which count is incorporated by reference herein, all in violation of 18 U.S.C. § 924(c)(1).

COUNT IV

(Felon in Possession of Firearm and Ammunition)

On or about November 6, 2017, in the Central Division of the District of Utah,

BURTON RANDY CHEEK, JR.,

defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm and ammunition--that is a Taurus .38 caliber handgun and associated ammunition, all in violation of 18 U.S.C. § 922(g)(1) and punishable under 18 U.S.C. §§ 924(a)(2) and 924(e).

COUNT V
(Possession of Methamphetamine)

On or about November 6, 2017, in the Central Division of the District of Utah,

BURTON RANDY CHEEK, JR.,

defendant herein, did knowingly and intentionally possess methamphetamine, a Schedule II controlled substance within the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 844, and punishable under 21 U.S.C. § 844.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of the offenses in Counts I-IV, the above-named defendant shall forfeit to the United States pursuant to 18 U.S.C. § 924(d)(1), all firearms or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922, 18 U.S.C. § 924(c), or 21 U.S.C. § 841(a)(1), including but not limited to the firearms listed in Counts I and IV.

JOHN W. HUBER
United States Attorney



PAUL KOHLER
Assistant United States Attorney